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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/661,009	09/13/2000	Thomas J. Colson	822.000308	8287

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EXAMINER

HEWITT II, CALVIN L

ART UNIT	PAPER NUMBER
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3621

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/661,009

Applicant(s)

COLSON ET AL.

Examiner

Calvin L Hewitt II

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 115-133 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 115-133 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Status of Claims

1. Claims 115-133 have been examined.

Response to Arguments

2. Applicant's arguments with respect to claims 115-133 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 115-123 and 125-133 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beattie et al., U.S. Patent No. 5,659,742 in view of Haber et al. 5,136,647.

As per claims 115-123 and 125-133, Beattie et al. teach a method for publishing a document on a Global Information Network comprising:

- receiving (at a server) a document (regarding a commercial available product), notarizing said document with an identifier (e.g. ID number, date) and posting the document on said Network (figures 1-5)
- receiving a document into a bibliographic, primary text document and an attachment file (figures 1-5)
- creating a searchable document file, saving it in a database, creating a display document file from said primary text document file and posting the file on a website (using HTML), and creating a searchable document file from said display document file (figures 1, 2 and 4A-C)
- recording the number of times a product document is accessed via said Network notarization and creating a notarization record that includes a digital fingerprint (figure 5; column/line 35/57-36/52, column 37, lines 15-38)
- publishing a document on the Network (figure 4A)
- notarizing at a site remote from the website where the document is posted (figures 1, 3 and 4A)

Beattie et al. do not specifically recite date and time stamps. Haber et al. teach a method for authenticating documents comprising the step of an author submitting a document an “outside” system and the system applying a date/time stamp and a digital fingerprint to the document (abstract; figure 1; column 1, lines 1-45; column/line 2/50-3/5; column 3, lines 24-43; column 6, lines 5-24). Therefore, it

would have been obvious to one of ordinary skill to combine the teachings of Beattie et al. and Haber et al. in order to create a tamper-proof time seal establishing an author's claim to the temporal existence of the document ('647, abstract).

5. Claim 124 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beattie et al., U.S. Patent No. 5,659,742 and Haber et al., U.S. Patent No. 5,136,647 as applied to claim 115 above, and further in view of Dattatri, U.S. Patent No. 6,658,453.

As per claim 124, Beattie et al. teach a method and system for publishing documents on the Network (figures 1-5). Haber et al. teach a method and system for authenticating a document comprising a date/time stamp (abstract' column 6, lines 5-24). However, neither Beattie et al. nor Haber et al. explicitly recite reminder notices regarding a one-year anniversary. Tobin teaches a method and system for sending greetings comprising a user receiving a reminder for sending a greeting based on a customized event (figures 1c, 2, 4 and 7). Therefore, it would have been obvious to one of ordinary skill to combine the teachings of Beattie et al., Haber et al. and Tobin in order to recognize an author for his/her accomplishment of publishing an original work or as thanks for choosing to distribute their original work through the system of Beattie et al. (figure 1).

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Calvin Loyd Hewitt II whose telephone number is (703) 308-8057. The Examiner can normally be reached on Monday-Friday from 8:30 AM-5:00 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, James P. Trammell, can be reached at (703) 305-9768.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
c/o Technology Center 2100
Washington, D.C. 20231

or faxed to:

(703) 305-7687 (for formal communications intended for entry and after-final communications),

or:


(703) 746-5532 (for informal or draft communications, please label "PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park 5,
2451 Crystal Drive, 7th Floor Receptionist.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-1113.

Calvin Loyd Hewitt II

March 16, 2004


JAMES P. TRAMMELL
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600